

RESOLUTION NO. 3287

AUTHORIZING AND DIRECTING CONDEMNATION OF  
REAL PROPERTY FOR PUBLIC STREET PURPOSES

BE IT RESOLVED by the Council of the City of Lodi as follows:

That the Council of the City of Lodi finds, determines and hereby declares:

(1) That the public interest, necessity, and convenience require the acquisition, construction and completion by the City of Lodi, of a public improvement, to wit: the widening and extending of Ham Lane as a public street in the City of Lodi from Lodi Avenue south.

(2) That the proposed improvement is a public use and is planned and located in a manner most compatible with the greatest public good and the least private injury and that said use is authorized by law.

(3) That the City of Lodi acquire the hereinafter described real property for street purposes, by donation, purchase or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary land and/or to fix the compensation to be paid for property damaged resulting from the construction and maintenance of said improvement: and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California, to condemn the property hereinafter described for the purpose of taking said land for the widening and extending of Ham Lane as a public street in the City of Lodi from Lodi Avenue south, as described in Paragraph (1) of this Resolution.

(4) To acquire in the name of the City of Lodi, fee simple estate in and to the said hereinafter described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, and the Constitution of California relating to eminent domain.

(5) To make application to said Court for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said real property, or interest in real property, or existing improvements, as a right of way for public use; to make deposit of such security or moneys in such amount so fixed and determined and in such manner as said court in which such proceedings are pending may direct.

The real property, or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvement is, situate in the City of Lodi, County of San Joaquin, State of California, and is described as follows:

The **West** 40.00 feet of **the** following described property:

All that portion of the Northeast 1/4 of Section 11, Township 3 North, **Range** 6 East. Mount Diablo **Base** and Meridian, more particularly described **as** follows:

BEGINNING at the Southeast **corner** of the parcel of land conveyed to T. B. Geffrey by Deed dated February 25, 1881 and recorded **on** March 11, 1881 in Volume 45, Book A of Deeds, **page** 76, San Joaquin County Records, and running thence **West** along the South line of the land of said T. B. Geffrey. 654.3 feet to the 1/4 section line: thence South **on** the 1/4 section line 127.29 feet to the Northwest corner of the parcel of land conveyed to Louisa Sturla by **Decree** of Distribution, dated September 30, 1930 and recorded in Vol. 337 of Official Records, page 251, and designated as Parcel B therein; thence East along the North line of the said Louisa Sturla property. 654.3 feet to a point **on** the West line of Fairmont Avenue (formerly Walnut Avenue); thence North along the West line of Fairmont Avenue, 127.29 feet to the paint of beginning, and containing 2 **acres, more** or less.

SAVING AND EXCEPTING THEREFROM the East 155 feet of the hereinabove described property, **con-** taining 1/2 **acre** more or less.


Dated: July 16, 1969

I hereby certify that Resolution No. 3287 **was** passed and adopted by the City Council of the City of Lodi in regular meeting held July 16, 1969, by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON,  
HUNNELL, SCHAFER  
and KIRSTEN

Noes: Councilmen - None

Abstain: Councilmen - None

  
City Clerk